

# SECTION 4

## PUBLISHING STYLE

### OF THE SECRETARY OF STATE'S OFFICE

#### PUBLISHING STYLE

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The Office will use the publishing style outlined in this Section of the manual. Please use this Section in conjunction with Section 3 of this manual on rule drafting style. The Office will edit your rules to bring them into compliance with Section 3 of this manual.

#### AMENDING WORDS AND PHRASES

When amending words or portions of words, underline the new version of the word, leave one blank space, then strike-out the entire old word. It is difficult to decipher what you mean if you just strike-out letters within a word.

##### EXAMPLES:

DON'T WRITE: The ~~D~~department.

WRITE: The Department ~~department~~.

DON'T WRITE: \$~~12500~~.00.

WRITE: \$200.00 ~~\$150.00~~.

When amending a sentence or a paragraph, place new text in front of stricken text. Placing new text in front of old text is usually easier to understand than placing new text after the old text.

##### EXAMPLE:

DON'T WRITE: The ~~Division~~ Department.

WRITE: The Department ~~Division~~.

#### CAPITALIZATION

1. The Office will capitalize the following, even if you have not capitalized them in your rules:
  - a. The major divisions of the *Code* (Title, Chapter, Subchapter, Article, Part, and Section). A subsection is not a major division of the *Code*.
  - b. The names of governmental agencies and other organizations to which you refer in your rules.
  - c. The names of governmental units, particularly in rules that contain references to the governing agency for those rules.
  - d. The first letter of the first word of each subsection at any level.
  - e. Any term that, in normal writing, would be capitalized.
  - f. Any term that you have defined in your rules with capital letters if you also use the term capitalized within your rules.
  - g. The titles of individuals when the titles immediately precede a person's name.
  - h. The first word after a colon contained within (not at the end of) a paragraph if the first word after the colon begins a complete sentence.
  - i. Key words in Section headings.
2. The Office will NOT capitalize the following:
  - a. The word "rule" unless it is contained in the title of a document or begins a sentence.
  - b. The word "federal" unless it is contained in the title of a document, is part of the name of an agency, or begins a sentence.
  - c. The term "subsection" unless it begins a sentence.

## CHAPTER HEADINGS

Within the *Arizona Administrative Code*, Chapter headings shall always contain the name of the agency. Large agencies with more than one Chapter may also specify the subheading, which is a program or subject division, for that Chapter.

### EXAMPLES:

DON'T WRITE: Chapter 2. Air Pollution.

WRITE: Chapter 2. Department of Environmental Quality - Air Pollution.

## CODIFICATION

1. The codification scheme for the *Code* is explained in the Guide to the Secretary of State's Rules (Section 8 of this manual). In Arizona, we use a codification which starts with general subject areas and goes to specific rules.
  - a. Titles are the most general and represent board subject areas.
  - b. Chapters designate state agencies. Those agencies with multiple Chapters will also specify a program or other subject name as part of the Chapter heading along with the name of their agency.
  - c. Subchapters are used when Chapters cover a variety of subject areas or govern different groups of people. Not every Chapter will have Subchapters.
  - d. Articles designate groups of related rules.
  - e. Parts are used to further break down Articles in smaller related groups of rules. Not every Article has Parts.
  - f. Sections designate individual rules.
2. The ultimate authority for codification is the Office. The Office rarely interferes with the organization of a rule established by the drafter. However, please keep in mind:
  - a. Only the Office can create a new Title.
  - b. Agencies must contact the Office for the designation of a new Chapter.
  - c. Agencies must consult with and get the approval of the Office before creating Subchapters.
  - d. Agencies must consult with and get the approval of the Office before creating Parts.

## DEGREES

When using degrees in your rules, please use the degree symbol.

### EXAMPLES:

DON'T WRITE: 102 degrees Fahrenheit.

WRITE: 102° F.

## EFFECTIVE DATES

1. The effective date of a final, emergency, or exempt rule is the date the rule is filed with the Secretary of State's Office. No rule can be effective before it is filed with the the Office. Some rules may be effective days or weeks or months after they are filed with the Office. If your rules must take effect after filing, you must tell us the reason for the delay.
2. A summary rule takes interim effect on the date it is published in the *Register*. It takes permanent effect on the same date as the interim effective date if approved by the Council.
3. Proposed rules don't have effective dates because they have not yet been through the process required by the APA.
4. Use the last first-level subsection to specify an effective date in the text of a Section if the effective date is required to be included in the text of the Section. If there is no requirement that the effective date appear in the text of the rule, don't place it there.

## HEADINGS

Headings of each division of the *Code* shall explain what is in that division. Because the divisions of the *Code* are, by definition, sets of rules (Title, Chapter, Subchapter, Article, and Part) or a single rule (Section), the word “rule” or the word “regulation” shall not appear in the heading of the division. If you submit rules with these terms in the headings of any division of the Code, the Office will delete these terms.

### EXAMPLES:

DON'T WRITE: R21-13-101. Rules for Submission of an Application

WRITE: R21-13-101. Submission of an Application

## INCORPORATIONS BY REFERENCE

1. Items that may be incorporated by reference are specified in A.R.S. § 41-1028.
2. Submit one copy of each item incorporated by reference with your final, emergency, or exempt rulemaking package. Summary rulemakings should not have incorporated by reference items.
2. When incorporating items by reference, use language similar, if not identical, to the following:

“ . . . incorporated by reference and on file with the Department and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments.”

(Note that the word “herein” does not appear here. Don’t include it in this phrase when you incorporate any item by reference.)

## INDENT LEVELS

1. Rules submitted to the Secretary of State’s Office for publication and filing should be indented similarly to the way the Office publishes the material. This means that,
  - a. Using 9- and 10-point font (or elite (12 point) pitch on a typewriter):
    - i. The opening paragraph (implied A) begins at the 1-inch left-hand margin and continues across the page to the 1-inch right-hand margin. Each line goes from the 1-inch margin on the left to the 1-inch margin on the right.
    - ii. The first level of subsection has the label at the 1-inch left-hand margin with the text beginning 1/4 inch to the right of the left-hand margin. Each successive line of text begins 1/4 inch from the left-hand margin and continues across the page to the right-hand margin.
    - iii. The second level of subsection has the label 1/4 inch to the right of the left-hand margin with the text beginning 1/2 inch to the right of the left-hand margin. Each successive line of text begins 1/2 inch from the left-hand margin and continues across the page to the right-hand margin.
    - iv. The third level of subsection has the label 1/2 inch to the right of the left-hand margin with the text beginning 3/4 inch to the right of the left-hand margin. Each successive line of text begins 3/4 inch from the left-hand margin and continues across the page to the right-hand margin.
    - v. The fourth level of subsection has the label 3/4 inch to the right of the left-hand margin with the text beginning 1 inch to the right of the left-hand margin. Each successive line of text begins 1 inch from the left-hand margin and continues across the page to the right-hand margin.
  - b. Using 11- and 12-point font (or Pica (10 pitch) on a typewriter):
    - i. The opening paragraph (implied A) begins at the 1-inch left-hand margin and continues across the page to the 1-inch right-hand margin. Each line goes from the 1-inch margin on the left to the 1-inch margin on the right.
    - ii. The first level of subsection has the label at the 1-inch left-hand margin with the text beginning 1/3 inch to the right of the left-hand margin. Each successive line of text begins 1/3 inch from the left-hand margin and continues across the page to the right-hand margin.

- iii. The second level of subsection has the label 1/3 inch to the right of the left-hand margin with the text beginning 2/3 inch to the right of the left-hand margin. Each successive line of text begins 2/3 inch from the left-hand margin and continues across the page to the right-hand margin.
- iv. The third level of subsection has the label 2/3 inch to the right of the left-hand margin with the text beginning 1 inch to the right of the left-hand margin. Each successive line of text begins 1 inch from the left-hand margin and continues across the page to the right-hand margin.
- v. The fourth level of subsection has the label 1 inch to the right of the left-hand margin with the text beginning 1 1/3 inch to the right of the left-hand margin. Each successive line of text begins 1 1/3 inch from the left-hand margin and continues across the page to the right-hand margin.

## **LABELING PARAGRAPHS**

1. When labeling paragraphs in your rules, remember that there are four levels of subsections allowed:
  - a. The first level of subsection is labeled with capital letters followed by a period. The label for this level appears at the one-inch left-hand margin and the text begins 1/4 inch to the right of the left-hand margin.
  - b. The second level of subsection is labeled with Arabic numbers followed by a period. The label for this level appears 1/4 inch from the left-hand margin and the text begins 1/2 inch to the right of the left-hand margin.
  - c. The third level of subsection is labeled with small (lower case) letters followed by a period. The label for this level appears 1/2 inch from the left-hand margin and the text begins 3/4 inch to the right of the left-hand margin.
  - d. The fourth level of subsection is labeled with small Roman numerals followed by a period. The label for this level appears 3/4 inch from the left-hand margin and the text begins one inch to the right of the left-hand margin.
2. Levels of subsection below the fourth level are not allowed without prior permission from the Office. If you submit a proposed rule with more than four levels of subsection without first obtaining permission from this Office to do so, you will not be granted permission. You will have to split your rules into additional Sections so that you don't exceed four levels of subsection.
3. When you are labeling the rules you have drafted for submission to the Office, remember:
  - a. Don't leave any paragraph unlabeled (except an opening paragraph) because you cannot cite an unlabeled paragraph, except as noted in the definitions portion of Section 2 of this manual.
  - b. Don't use an A without a B, a 1 without a 2, an a without a b, or a i without a ii.
  - c. Leave definitions unlabeled as long as the definitions are listed in alphabetical order.
4. When you have a subsection reference that contains several labels for different levels of subsection, list the labels in order, each within its own set of parentheses with no space between the parentheses.

### **EXAMPLES:**

DON'T WRITE: subsection (a)  
 WRITE: subsection (B)(1)(a)  
 DON'T WRITE: subsection (A) (6) (c) (vii)  
 WRITE: subsection (A)(6)(c)(vii)

## **LISTS**

1. When you draft your rules, you may leave a list of three or less items within the text of the paragraph but don't individually label each item. Lists of more than three items must appear in a "displayed" list - that is, at the next subsection level. Each item in displayed lists should be labeled, but if the list is in alphabetical order, labels are not absolutely necessary. Labels can aid you, however, if you wish to refer to an item in the list.
2. In a displayed list, capitalize the first word of each item.

3. When each item in the list completes the thought that you began in the introductory sentence, use semicolons (if one or more of the items already contains a comma) or commas (when none of the items contains a comma) after all but the last item and use a period after the last item. NOTE: when using a list of items that complete the introductory sentence, make sure each item is parallel in structure.
4. When each item in the list is a complete thought by itself, end each item with a period.

## **NOTICES**

All Notices submitted to the Office for publication in the *Register* or the *Code* shall be double-spaced. This includes the information in the Preamble (part of the Notice) and all pages of text. Incorporated by reference materials submitted with your final rules are not included in this requirement. Notices submitted that are not double-spaced will be returned to you for correction before the Office will accept them for publication or filing.

## **PERCENT**

When using percents in your rules, please use the percent symbol.

### **EXAMPLES:**

DON'T WRITE:     ten percent.

WRITE:            10%.

## **PLURALS**

The Office will edit your rules to delete the parentheses if you use both a singular form of a word and its plural form by placing (s) or (ies) after the word. Use the singular form whenever possible.

## **RECEIPTS**

All rulemaking packages submitted to the Office for publication or filing shall be accompanied by two copies of an agency receipt. We will date-stamp both copies and will return one to you, keeping the other one for our files. If you submit a receipt with the original and all four copies of a rulemaking package, we will certainly not reject the rules on that basis. It's better to have too many than not enough. Rulemaking packages submitted without a receipt will not be accepted by the Office and will be returned to the agency.

## **RULEMAKING ACTION**

There is a column for Rulemaking Action on all Notices of rulemaking activity submitted to the Office. The types of rulemaking action to be listed include: new Section, amendment, repeal, and renumbering. Don't use the old terminology of "Adopt" for new Sections. All action in the rulemaking will be "adopted"; thus a new Section shall be listed in the Rulemaking Action as a new Section.

## **SECTION NUMBERS**

The Office will edit your rules to show complete Section numbers.

## **SPELLING**

Spell-check your rules before submitting them to the Office for publication and filing. We will correct spelling when we know that a word is misspelled. However, we are not experts in your subject area. Sometimes we may not know that a word is misspelled. And members of the public can obtain copies of your filed rules from the Office--complete with your misspelled words. Don't embarrass yourselves.

## **STATUTORY QUOTATIONS, BOOK TITLES, AND SCIENTIFIC NAMES**

The Office will edit your rules to place statutory quotations, book titles, and scientific names in italics if you have not done so.

## UNDERLINING IN RULES

1. Underlining is used in the text of rules filed with the Secretary of State only to indicate new language being added to an existing rule. Don't use underlining in the text of rules for any other purpose.
2. You don't have to underline the text of new rules (complete Sections) unless you are also amending some of the text of other Sections in the same rules packet or unless you are also repealing some Sections in their entirety. In other words, if you are taking more than one rulemaking action, you must show all changes including underlining in their entirety all new Sections and striking in their entirety all repealed Sections.
3. If your agency has rules which were exempted from the rulemaking process before September 30, 1992, which by law the Secretary of State's Office could not publish, and now you amend your rules, you must show all changes between the version we have on file in the Office and what you are doing in this rulemaking. You will include in these changes all language you deleted and all language you added or otherwise changed during the exemption. Thus, text that you have been operating under since you adopted your rules under the exemption will have to be shown as either repealed text or new language. This is the only way the Office can ensure that we make the appropriate changes when we publish the rules in the *Code* or the *Register*.